

Message Text

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ORIGIN EB-07

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APPROVED BY EB/TCA:JWBILLER
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FM SECSTATE WASHDC
TO AMEMBASSY LONDON

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FOR US CIVAIR DEL

E.O. 11652: N/A

TAGS: EAIR, UK

SUBJECT: CIVAIR - BELIZE AIRWAYS APPLICATION

1. UK MAY RAISE SUBJECT ISSUE IN NEGOTIATIONS FOR NEW US-UK AVIATION AGREEMENT. IF IT DOES, USDEL SHOULD DRAW ON FOLLOWING IN REPLY.

2. BELIZE AIRWAYS, WHICH IS HONDURAN FINANCED, SEEKS TO FLY BETWEEN BELIZE AND MIAMI PURSUANT TO US-UK AGREEMENT. CASE WAS REVIEWED BY A CAB ADMINISTRATIVE LAW JUDGE WHO, ON MARCH 28, RECOMMENDED APPROVAL OF THE PERMIT. ON APRIL 18, THE CAB'S BUREAU OF OPERATING RIGHTS FILED A PETITION FOR LIMITED OFFICIAL USE

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REVIEW CHALLENGING THE ALJ'S RECOMMENDATION TO WAIVE THE OWNERSHIP AND CONTROL REQUIREMENT. IN ACCORDANCE WITH THE BOARD'S PROCLAIMED POLICY OF ANNOUNCING INTENDED TIMEFRAMES FOR DECISIONS ON PENDING MATTERS, THE BOARD INDICATED ITS INTENTION TO PASS ON THE PETITION IN 60 DAYS, I.E., BY JUNE 20. ALTHOUGH THE JUNE 20 DATE IS INTENDED TO BE MERELY AN INDICATION OF THE LATEST DATE BY WHICH A DECISION

WOULD BE REACHED, IT IS UNLIKELY THAT THE BOARD WOULD MAKE A RULING MUCH BEFORE THAT DATE. IF THE BOARD VOTES TO DISAPPROVE THE PETITION AND TO APPROVE THE FOREIGN AIR CARRIER PERMIT, THERE WOULD BE ONLY TWO DAYS LEFT BEFORE THE POSSIBLE EXPIRATION OF THE US-UK AGREEMENT. A PRESIDENTIAL

REVIEW OF THE APPLICATION PROBABLY COULD NOT BE COMPLETED IN TWO DAYS' TIME. IF THE BOARD DECIDES TO APPROVE THE PETITION, LONGER DELAYS COULD BE EXPECTED.

3. DEPT HAS ADVISED BRITISH EMBASSY THAT THE CAB'S JUNE 20 DATE IS INTENDED AS A SELF-IMPOSED DEADLINE FOR MAKING ITS DECISION, AND IS NOT TO BE INTERPRETED AS THE DATE ON WHICH THE RULING ACTUALLY WILL BE MADE. CHRISTOPHER

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